

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

Aladdin Knowledge Systems, Ltd.,	:	
Plaintiff,	:	
v.	:	CIVIL ACTION NO. 05-149 (GMS)
	:	
Feitian Technologies Co., Ltd., et al.,	:	
	:	
Defendants.	:	
_____	:	

EXHIBIT F

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ALADDIN KNOWLEDGE SYSTEMS, LTD.,	§	
	§	
Plaintiff,	§	
	§	C.A. NO. 05-149-GMS
v.	§	
	§	
FEITIAN TECHNOLOGIES CO., LTD., et al.,	§	
	§	
Defendants.	§	

**DEFENDANT FEITIAN TECHNOLOGIES CO., LTD.'S
SECOND AMENDED RESPONSES TO PLAINTIFF'S
FIRST SET OF INTERROGATORIES ON
JURISDICTIONAL ISSUES**

TO: Plaintiff, by and through its attorney of record, David S. Eagle, Patrick A. Costello of Klehr Harrison Harvey Branzburg & Ellers, LLP, 919 Market Street, Suite 1000, Wilmington DE 19801 and Michael K. Coran, Mary Ellen O'Laughlin, 260 South Broad Street, 4th Floor, Philadelphia, PA 19102-5003

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Defendant Feitian Technologies Co., Ltd. ("Feitian") responds to Aladdin Knowledge Systems, Ltd.'s ("Plaintiff") First Set of Interrogatories on Jurisdictional Issues as follows.

GENERAL OBJECTIONS

1. Feitian objects to all requests to the extent they seek attorney-client privileged or attorney work product information.
2. Feitian objects to all requests to the extent they seek information beyond the scope of discovery permitted in the Court's opinion and order regarding jurisdictional discovery (D.I. 48), which limits discovery to Feitian's alleged contacts with Delaware or California.
3. Feitian objects to all requests to the extent they are vague or ambiguous in describing the requested information.

4. Feitian objects to all requests to the extent they are overbroad, unduly burdensome or seek irrelevant information.

AMENDED RESPONSES TO PLAINTIFF'S FIRST SET OF INTERROGATORIES

1. Describe any advertising by you or on your behalf in the United States ("U.S.") or directed to the U.S. market during the period October 1999 to present, including, but not limited to print publications and online advertising conducted on the Internet.

ANSWER:

Feitian objects to this interrogatory because it is directed to advertising in the "US Market", and seeks information outside Feitian's contacts in Delaware as permitted in the Court's discovery order (D.I. 48) or California. Subject to the foregoing objections, Feitian has directed no advertising to Delaware. Feitian does operate a website that is available on the World Wide Web, but it is not directed to Delaware.

2. Provide the Internet website address for any website that had a hyperlink to or from your website at any time during the period October 1999 to present.

ANSWER:

Feitian objects to this interrogatory as being overbroad, unduly burdensome, and seeking irrelevant information. The request is not limited to Feitian's alleged contacts with Delaware, as permitted by the Court's order (D.I. 48) or California, but instead is directed to Feitian's website in general. Further Feitian objects that this request seeks information that is not reasonably available to it, such as the identity of hyperlinks to Feitian's website.

Subject to the foregoing objections, Feitian states that it is not aware of any websites that had a hyperlink to or from its website.

3. Describe the procedures you follow when you receive an inquiry originating in the U.S. concerning a product or service.

ANSWER:

Feitian objects to this interrogatory because it seeks information about Feitian's contacts with the U.S. in general and is not limited to Feitian's alleged contacts with Delaware as

permitted by the Court's order (D.I. 48) or California. Feitian also objects that the request is vague and ambiguous in that it does not specify what type of "inquiry" is being referred to.

Subject to the foregoing, Feitian has received no inquiries from Delaware or California, other than a few made by Plaintiff's attorneys in connection with this suit and the emails from California that have been produced. There are no responsive procedures. Feitian responds on an individual basis. As to any inquiries from elsewhere in the U.S., Feitian would forward the inquiry to RF Ideas. Feitian would also sent an email to the inquirer to the effect that RF Ideas would be following up. RF Ideas would then, presumably, follow up directly with the person making the inquiry.

4. Identify the documents that are created by you or on your behalf relating to the sale of one of your products in the U.S.

ANSWER:

Feitian objects to this interrogatory because it seeks information concerning sales of Feitian's products in the U.S., and is not limited to Feitian's contacts with Delaware as permitted by the Court's order (D.I. 48) or California.

Subject to the foregoing objections, Feitian has not sold any products in Delaware, and therefore has created no responsive, non-objectionable documents. To the extent Feitian were to make a sale somewhere else in the U.S., like California, the documents it would generate would be a pro forma invoice to the purchaser. It may also generate an email to the customer informing them of the shipment and DHL tracking number.

5. Describe the procedures you follow when you ship a product to the U.S.

ANSWER:

Feitian objects to this interrogatory because it seeks information about sales of its products to the U.S., generally, and is not limited to Feitian's alleged contacts with the State of Delaware per the Court's order (D.I. 48) or California.

Subject to the foregoing objections, Feitian has not shipped any products to Delaware and so there are no responsive procedures. To the extent Feitian were to ship a product somewhere else in the U.S., like California, the procedures would follow would be to package the products and label it with a DHL shipping label. DHL picks up the package at Feitian's location and then ships it to the customer. Feitian would also email the customer informing it of the shipment and providing the DHL tracking number.

6. Describe the procedures you follow when you receive a request for technical assistance or technical support from the United States.

ANSWER:

Feitian objects to this interrogatory because it seeks information about technical assistance in the U.S., generally, and is not limited to Feitian's alleged contacts with the State of Delaware per the Court's order (D.I. 48) or California.

Subject to the foregoing objections, Feitian has not provided any technical assistance to Delaware and there are no responsive procedures. Further, even to the extent the interrogatory seeks information outside of Delaware, like California, Feitian's procedure is that it does not generally provide technical assistance in the U.S., but would expect RF Ideas or possibly AZ-Tech to do so and would refer the request to them by email. To the extent that Feitian might

directly provide technical assistance directly, it would provide information containing the requested technical assistance by email to the person requesting it.

7. Describe the procedures followed for payment for your products or services sold or delivered in the U.S.

ANSWER:

Feitian objects to this interrogatory because it seeks information about payment for sales of its products to the U.S., generally, and is not limited to Feitian's alleged sales of products to the State of Delaware per the Court's order (D.I. 48) or California.

Subject to the foregoing objections, Feitian has received no payments for products to Delaware and therefore there are no responsive procedures. To the extent Feitian were to receive payments for a product somewhere else in the U.S., it would invoice the customer for the product. Generally, payment is received from the customer by bank transfer.

8. Identify any credit cards you accept for payment for products sold in or services made to the U.S.

ANSWER:

Feitian objects to this interrogatory because it seeks information about sales of its products to the U.S., generally, and is not limited to Feitian's alleged contacts with the State of Delaware per the Court's order (D.I. 48) or California.

Subject to the foregoing objection, Feitian has not accepted payments from Delaware nor has it sold products or services in Delaware. Feitian does not generally accept credit cards for payment in other places in the U. S., but on rare occasions has accepted VISA.

9. Identify any U.S. bank that has provided you with any financial services, including deposit, lending and line of credit services during the period October 1999 to present.

ANSWER:

Feitian objects that this interrogatory is not limited to its alleged contacts with Delaware as permitted by the Court's opinion and order (D.I. 48) or California.

None?

10. Identify all records containing revenue information regarding U.S. sales of your products and revenues for services provided in the U.S.

ANSWER:

Feitian objects to this interrogatory as irrelevant, overbroad, and unduly burdensome because it seeks information regarding "U.S. sales" in general and is not limited to Feitian's alleged contacts with Delaware as permitted by the Court's discovery order (D.I. 48).

Subject to the foregoing objections, Feitian has no records containing revenue information for sales or services in Delaware or California.

11. To whom is Feitian's English language interactive website directed?

ANSWER:

Feitian objects that this interrogatory is vague and ambiguous and assumes that the website is "directed" to a particular class of people. Subject to the foregoing objections, Feitian states that it provides its website in the English language for the convenience of English-speaking readers.

12. Identify each search engine that Feitian has appeared on from October 1999 to present.

ANSWER:

Feitian objects that this interrogatory is overbroad, unduly burdensome and seeks irrelevant information and is beyond the scope of discovery permitted by the Court's order (D.I. 48), which is limited to Feitian's alleged contacts with Delaware or California.

Subject to the foregoing objections, Feitian states that it has no way of knowing every search engine on which it may be found. Feitian is aware that it may be found on Google, Yahoo!, and Microsoft MSN.

13. Identify every search engine on which "pop up" ads for Feitian or Feitian products have appeared from October 1999 to present.

ANSWER:

Feitian objects that this request is overbroad, unduly burdensome and seeks irrelevant information and is beyond the scope of discovery permitted by the Court's order, which is limited to Feitian's alleged contacts with Delaware (D.I. 48) or California.

Subject to the foregoing objections, Feitian has never used "pop up" ads, therefore, none.

14. Identify by location and date each trade show and industry conference that Feitian has attended in the U.S. during the period October 1999 to present.

ANSWER:

Feitian objects to this interrogatory because it seeks information concerning Feitian's alleged attendance at trade shows and conferences in the U.S., generally, and is outside the scope of the Court's discovery order which permits discovery only as to Feitian's alleged contacts with Delaware (D.I. 48) or California.

Subject to the foregoing objections, Feitian has not attended any trade show or industry conference in Delaware. Feitian has attended the RSA trade show in California in 2003, 2004, and 2006.

15. Identify the software used by Feitian for its customer relations management ("CRM") during the period October 1999 to present.

ANSWER:

Feitian objects to this interrogatory in that it exceeds the scope of the Court's order, which is limited to Feitian's alleged contacts with Delaware (D.I. 48) or California.

Subject to the foregoing objections, Feitian does not use any such software.

16. Identify the prospect management software used by Feitian during the period October 1999 to present.

ANSWER:

Feitian objects to this interrogatory in that it exceeds the scope of the Court's order, which is limited to Feitian's alleged contacts with Delaware (D.I. 48) or California.

Subject to the foregoing objections, Feitian does not use any such software.

17. Describe the procedures used by Feitian or on its behalf during the period October 1999 to present for tracking referrals.

ANSWER:

Feitian objects to this interrogatory as beyond the scope of the Court's discovery order, which allows discovery only as to Feitian's alleged contacts with Delaware (D.I. 48) or California. Feitian also objects to this interrogatory in that it is vague and ambiguous as to what is means by "tracking referrals."

Subject to the foregoing objections, Feitian does not track referrals. To the extent an email inquiry is considered a referral, Feitian would forward it to RF Ideas to follow up. Feitian would also send an email to the inquirer to the effect that RF Ideas would be following up. Feitian would not "track" the referral any further but if it received a subsequent complaint from the inquirer that it had never received a response, Feitian would again contact RF Ideas and ask it to follow up.

18. Identify each contract entered into by you or on your behalf that applies Delaware law.

ANSWER:

None.

19. With regard to any inquiry originating in the U.S. regarding an "ePass" Software Developer Kit ("SDK"), state the name, address, telephone number and email address of the inquirer.

ANSWER:

Feitian objects to this interrogatory because it is beyond the scope of the Court's discovery order, which permits discovery only as to Feitian's alleged contacts with Delaware (D.I. 48) or California.

Subject to the foregoing objections, Feitian has received no inquiries regarding its ePass Software Developer Kit from Delaware except for some received from Plaintiff's attorneys. Pursuant to Fed. R. Civ. P. 33(d), Feitian will produce documents from which the answer to the interrogatory may be obtained with respect to California.

20. State the number of Feitian's "ePass" products, including SDKs, which have been made, sold or offered for sale in the U.S. or imported into the U.S. during the period October 1999 to present.

ANSWER:

Feitian objects to this interrogatory because it is outside the scope of the Court's discovery order which permits discovery only as to Feitian's alleged contacts in Delaware (D.I. 48) or California.

Subject to the foregoing objection, Feitian has not made, sold or offered for sale any such products in Delaware or imported any products into Delaware. Pursuant to Fed. R. Civ. P. 33(d), Feitian will produce documents from which the answer to the interrogatory may be obtained with respect to California.

21. With regard to each sale or offer for sale in the U.S. of Feitian's "ePass" products, including SDKs, state the name, address, telephone number and email address of the purchaser/offeree.

ANSWER:

Feitian objects to this interrogatory because it is outside the scope of the Court's discovery order which permits discovery only as to Feitian's alleged contacts in Delaware (D.I. 48) or California.

Subject to the foregoing objections, Feitian states that it has not made, sold or offered for sale any such products in Delaware or imported any such products into Delaware. Pursuant to Fed. R. Civ. P. 33(d), Feitian will produce documents from which the answer to the interrogatory may be obtained with respect to California.

22. With regard to any inquiry originating in the U.S. regarding an "Rockey" Software Developer Kit ("SDK"), state the name, address, telephone number and email address of the inquirer.

ANSWER:

Feitian objects to this interrogatory because it is outside the scope of the Court's discovery order which permits discovery only as to Feitian's alleged contacts in Delaware (D.I. 48) or California.

Subject to the foregoing objection, Feitian has received no inquiries regarding its Rockey Software Developer Kit from Delaware except for some received from Plaintiff's attorneys. Pursuant to Fed. R. Civ. P. 33(d), Feitian will produce documents from which the answer to the interrogatory may be obtained.

23. State the number of Feitian's "Rockey" products, including SDKs, which have been made, sold or offered for sale in the U.S. or imported into the U.S. during the period October 1999 to present.

ANSWER:

Feitian objects to this interrogatory because it is outside the scope of the Court's discovery order which permits discovery only as to Feitian's alleged contacts in Delaware (D.I. 48) or California.

Subject to the foregoing objection, Feitian has not made, sold or offered for sale any products in Delaware or imported any products into Delaware. Pursuant to Fed. R. Civ. P. 33(d), Feitian will produce documents from which the answer to the interrogatory may be obtained with respect to California.

24. With regard to each sale or offer for sale in the U.S. of Feitian's "Rockey" products, including SDKs, state the name, address, telephone number and email address of the purchaser/offeree.

ANSWER:

Feitian objects to this interrogatory because it is outside the scope of the Court's discovery order which permits discovery only as to Feitian's alleged contacts in Delaware (D.I. 48) or California.

Subject to the foregoing objections, Feitian has not made, sold or offered for sale any such products in Delaware or imported any such products into Delaware. Pursuant to Fed. R. Civ. P. 33(d), Feitian will produce documents from which the answer to the interrogatory may be obtained with respect to California.

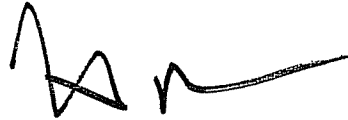
25. Identify all documents that were reviewed in preparing the Declaration of Zhao Wenwang in Support of Motion to Dismiss for Lack of Personal Jurisdiction and Lack of Service.

ANSWER:

Feitian objects to this interrogatory to the extent it seeks attorney work product or attorney/client privilege information. Feitian also objects to the extent that it seeks information beyond the scope of the Court's discovery order, which is limited to Feitian's alleged contacts with Delaware (D.I. 48) or California. Feitian is unaware of any documents reviewed by Zhao Wenwang in connection with his declaration. Mr. Zhao is no longer employed by Feitian

LOCKE LIDDELL & SAPP LLP

Dated: September 22, 2006



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Attorneys for Defendant
Feitian Technologies, Ltd.

CERTIFICATE OF SERVICE

I also certify that copies of the foregoing were caused to be served on September 22, 2006, upon the following in the manner indicated:

Via U.S. Mail and Email

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Matthew G. Reeves

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

Aladdin Knowledge Systems, Ltd.,	:	
Plaintiff,	:	
v.	:	CIVIL ACTION NO. 05-149 (GMS)
	:	
Feitian Technologies Co., Ltd., et al.,	:	
	:	
Defendants.	:	
_____	:	

EXHIBIT G

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

NO. 05-149

ALADDIN KNOWLEDGE SYSTEMS,) DEPOSITION UPON
LTD.,)
) ORAL EXAMINATION
Plaintiffs,) OF
- vs -) WEI LI
FEITIAN TECHNOLOGIES CO.,)
LTD.,)
)
Defendants.)

TRANSCRIPT OF TELEPHONIC DEPOSITION,
taken by and before ELISABETTA L. ANDREINI,
Professional Reporter and Notary Public, at the offices
of KLEHR, HARRISON, HARVEY, BRANZBURG & ELLERS,
Philadelphia, Pennsylvania, on Wednesday, August 30,
2005, commencing at 9:00 p.m.

ERSA COURT REPORTERS
30 South 17th Street
United Plaza - Suite 1520
Philadelphia, Pennsylvania 19103
(215) 564-1233

ORIGINAL

WEI LI

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A P P E A R A N C E S:

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Via Telephone

Yan Lu, Interpreter # 294304

Via Telephone

WEI LI

3

I N D E X

WITNESS

PAGE

WEI LI

By: Ms. O'Laughlin

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- - -

E X H I B I T S

PAGE

NUMBER

DESCRIPTION

MARKED

(There were no exhibits marked at this time.)

WEI LI

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1 -- PROCEEDINGS --

2 MS. O'LAUGHLIN: First, as we start I
3 want to -- there's a noise that keeps coming
4 in the background, so if anyone has problems
5 hearing me, just let me know. But the first
6 thing I'd like to do is for everyone to
7 introduce themselves and to state where they
8 are.

9 My name is Mary Ellen O'Laughlin, and I
10 represent the Plaintiff, Aladdin Knowledge
11 Systems Limited, and I'm at my offices in
12 Philadelphia, Pennsylvania. I'm also here
13 with the court reporter.

14 MR. REEVES: Matt Reeves. I represent
15 the Defendant, Feitian. I'm here in Houston,
16 Texas.

17 MS. O'LAUGHLIN: Interpreter, could you
18 state where you are?

19 THE INTERPRETER: Sure. This is
20 interpreter Yan Lu in Abington, Virginia.

21 MS. O'LAUGHLIN: Okay. And could you
22 ask the witness to state his name and to tell
23 us where he is located?

24 THE WITNESS: This is Wei Li in Beijing.

WEI LI

5

1 MS. O'LAUGHLIN: Okay. Before we start,
2 I'd like an agreement that although the court
3 reporter is in Philadelphia and the witness
4 is located in Beijing, China, that the court
5 reporter will administer the oath to the
6 witness, Mr. Li, as if the witness were in
7 the presence of the court reporter.

8 MR. REEVES: We agree to that.

9 MS. O'LAUGHLIN: Interpreter, you don't
10 have to translate that. Counsel has agreed.

11 THE INTERPRETER: Okay.

12 MS. O'LAUGHLIN: Also, just as a
13 preliminary matter, I'd like to state that
14 Aladdin has requested jurisdictional recovery
15 of all of Feitian's U.S. contacts, and
16 Feitian has objected to providing any
17 information of contacts outside of Delaware.
18 The Court has now ordered that Aladdin may
19 obtain discovery of Feitian's contacts with
20 California as well as Delaware. Aladdin
21 understands that Feitian will object to
22 answering any questions during this
23 deposition as to its U.S. contacts other than
24 its contacts with Delaware and California; is

WEI LI

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1 that correct, Mr. Reeves?

2 MR. REEVES: That is correct.

3 MS. O'LAUGHLIN: Okay. So I will ask
4 questions of this witness, the designee
5 witness, during this deposition without
6 waiving Aladdin's position that it's entitled
7 to information about Feitian's contact with
8 the U.S. as a whole, and I just wanted to put
9 on the record that by taking this deposition
10 Aladdin is not waiving its right to recall
11 this witness or any other Feitian designee to
12 ask him or her about Feitian's contacts with
13 the U.S. as a whole. Okay?

14 MR. REEVES: I understand, and we are
15 not necessarily agreeing that we would put
16 him up again anyways, but I understand your
17 reservation.

18 MS. O'LAUGHLIN: Okay. I am going to
19 have the court reporter now swear in the
20 witness.

21 WEI LI, having been duly sworn, was
22 examined and testified as follows:

23 BY MS. O'LAUGHLIN:

24 Q. Okay. Mr. Li, do you understand that you are

WEI LI

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1 going to be testifying here today under oath as if you
2 were in a courtroom before a judge or a jury
3 testifying?

4 A. Yes.

5 Q. Okay. And do you understand what the
6 penalties are under U.S. law for not telling the truth
7 when you testify under oath?

8 A. I don't know.

9 Q. You do not know. Do you know that you
10 could -- well, what is your understanding of saying
11 that you will tell the truth and nothing but the truth
12 as you testify here today?

13 THE INTERPRETER: Your Honor, Mr. Li is
14 asking to interpreter to repeat.

15 MS. O'LAUGHLIN: Okay.

16 THE WITNESS: Well, I believe I need to
17 tell the truth.

18 BY MS. O'LAUGHLIN:

19 Q. Okay. Do you understand that under -- well,
20 when you say that you need to tell the truth, is it
21 your understanding that you could be punished by a fine
22 or other kinds of punishment including imprisonment
23 under U.S. law if you do not tell the truth here today?

24 A. I'm not very clear about this in United

WEI LI

8

1 States.

2 Q. Okay. Do you have any personal belief system
3 that would insure that when you say -- when you promise
4 to tell the truth that you are going to tell the truth?

5 A. Yes.

6 Q. Okay. And what is that?

7 THE INTERPRETER: Your Honor, the
8 interpreter needs to ask the caller again.

9 THE WITNESS: I don't have any
10 religious belief.

11 BY MS. O'LAUGHLIN:

12 Q. Okay. But you have, have you not, agreed to
13 tell the truth here today?

14 A. Yes.

15 Q. Okay. Do you think that there will be any
16 repercussions against you if you do not tell the truth
17 here today?

18 A. Yes.

19 Q. And what do you think -- okay.

20 A. Well, by telling the truth it's beneficial to
21 our company.

22 MR. REEVES: And with that, Counselor,
23 he's told you now he's here to tell the truth
24 a couple of times, and he's under oath, so if

WEI LI

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1 we could move along.

2 MS. O'LAUGHLIN: Matt, the court
3 reporter is having a hard time hearing you
4 because of pings that are in the background.

5 MR. REEVES: I understand it's going to
6 be difficult.

7 BY MS. O'LAUGHLIN:

8 Q. Mr. Li, are you here as the designee of the
9 Defendant, Feitian Technologies Company Limited, to
10 answer questions about Feitian's business in Delaware,
11 the State of Delaware and the State of California?

12 A. Yes.

13 Q. Okay. Have you seen Aladdin's revised notice
14 of deposition to the designee of Feitian?

15 THE INTERPRETER: Ma'am, Mr. Li is
16 asking the interpreter to repeat.

17 MS. O'LAUGHLIN: Okay.

18 THE WITNESS: Yes.

19 BY MS. O'LAUGHLIN:

20 Q. Do you have it in front of you now?

21 A. No. Someone reported it to me.

22 Q. Okay. Do you know how you were selected to
23 be the witness today?

24 THE INTERPRETER: Ma'am, the interpreter

WEI LI

10

1 needs to ask Mr. Li. The interpreter didn't
2 hear him very clearly.

3 MS. O'LAUGHLIN: Okay.

4 THE WITNESS: Because I'm the vice
5 manager in charge of sales.

6 BY MS. O'LAUGHLIN:

7 Q. How long have you been the vice manager in
8 charge of sales?

9 A. Two years.

10 Q. Before that did you work for Feitian?

11 A. Yes.

12 Q. In what position?

13 A. Also vice manager.

14 Q. Were you also in charge of sales?

15 A. No. I was in charge of finance accounting.

16 Q. Okay. How long have you worked for Feitian?

17 A. Eight years.

18 Q. Okay. Before you were vice manager of
19 accounting, did you have another position at Feitian?

20 A. No.

21 Q. As vice manager in charge of sales are you
22 also in charge of sales to the United States?

23 THE INTERPRETER: Ma'am, the interpreter
24 need to ask Mr. Li again. The interpreter

WEI LI

11

1 didn't hear him very clearly.

2 THE WITNESS: I was not in charge of
3 sales to United States specifically. I
4 listen to other people's reports to sales
5 about United States.

6 BY MS. O'LAUGHLIN:

7 Q. Okay. Is there anyone at Feitian who is in
8 charge of sales to the United States?

9 A. Yes.

10 Q. And who is that?

11 A. Well, this person already quit.

12 Q. Okay. How many people report to you
13 concerning sales to the U.S.?

14 A. One person.

15 Q. Has that been true the entire time you have
16 been the vice manager in charge of sales, just one
17 person reports to you about U.S. sales?

18 A. Yes.

19 Q. Who is the person who reports to you?

20 THE INTERPRETER: Ma'am, the interpreter
21 needs to ask Mr. Li again. The interpreter
22 didn't hear him very clearly.

23 MS. O'LAUGHLIN: Maybe the interpreter
24 could ask -- could the interpreter please ask

WEI LI

12

1 Mr. Li to keep his voice up?

2 THE INTERPRETER: Okay. Sure.

3 THE WITNESS: That person name is Liu
4 Hui, last name.

5 BY MS. O'LAUGHLIN:

6 Q. Could you spell it?

7 THE INTERPRETER: If you want the
8 interpreter spell it out for you, or do you
9 want the interpreter to ask Mr. Li to spell
10 it out for you?

11 MS. O'LAUGHLIN: I would like you to ask
12 Mr. Li to spell it for you.

13 THE INTERPRETER: Okay. Sure.

14 MS. O'LAUGHLIN: And when you're asking
15 him that, then I would also like you to ask
16 him to spell his name for the court reporter.

17 THE INTERPRETER: Okay. Sure.

18 THE WITNESS: L-I-U -- well, the last
19 name of that person is L-I-U and the first
20 name is Y-U-H-O-N-G.

21 MS. O'LAUGHLIN: Y-U-H-O-N-T?

22 THE INTERPRETER: G, as in girl.

23 MS. O'LAUGHLIN: Could you then ask
24 Mr. Li to spell his name for the court

WEI LI

13

1 reporter?

2 THE WITNESS: Last name is L-I, first
3 name is W-E-I.

4 MS. O'LAUGHLIN: Thank you.

5 BY MS. O'LAUGHLIN:

6 Q. The person who is in charge of sales to the
7 U.S. who quit, what was that person's name?

8 A. Liu Yuhong.

9 Q. Could you spell it?

10 THE WITNESS: L-I-U, Y-U-H-O-N-G. Last
11 name L-I-U, first name Y-U-H-O-N-G.

12 BY MS. O'LAUGHLIN:

13 Q. My question was the name of the person who
14 was in charge of U.S. sales who quit?

15 A. Yes, it's Liu Yuhong.

16 Q. Well, then what is the name of the person who
17 currently reports to Mr. Li?

18 A. Liu Hui.

19 MS. O'LAUGHLIN: Did you respond? I
20 didn't --

21 THE WITNESS: Yes, Liu Hui.

22 BY MS. O'LAUGHLIN:

23 Q. And how do you spell that?

24 A. Last name L-I-U, first name H-U-I.

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14

1 Q. Okay. Has Feitian replaced or does Feitian
2 intend to replace -- well, strike that.

3 Never mind. Mr. Li, what did you do to
4 prepare for this deposition?

5 A. I got relevant information from them.

6 Q. From who?

7 A. From Liu Hui.

8 Q. Anyone else?

9 A. No.

10 Q. What relevant information did you get?

11 A. Information about this case.

12 Q. Could you be more specific?

13 A. Well, he told me orally. I do not remember
14 clearly now.

15 Q. Who told you that you would be the one to
16 testify as the designated witness for Feitian at this
17 deposition?

18 A. Liu Hui.

19 MS. O'LAUGHLIN: That's, Interpreter,
20 L-I-U, H-U-Y-O-N-G?

21 THE INTERPRETER: No. It's L-I-U,
22 H-U-I.

23 MS. O'LAUGHLIN: L-I-U, H-U-I?

24 THE WITNESS: Yes.

WEI LI

15

1 BY MS. O'LAUGHLIN:

2 Q. And what position does that person have at
3 Feitian?

4 A. Sales manager.

5 Q. Did the sales manager tell you why you were
6 selected to be the designated witness?

7 A. No.

8 Q. Okay. Is the sales manager your superior at
9 Feitian?

10 A. No, I am he superior.

11 Q. So Mr. Li is superior to the sales manager?

12 A. Yes.

13 Q. Okay. Did you review any documents to
14 prepare for the deposition?

15 A. No. I listen to other people's report.

16 Q. Okay. Besides Liu Yuhong, who else gave you
17 information for you to prepare for today's deposition?

18 THE INTERPRETER: Ma'am, do you mean
19 besides L-I-U, H-U-I?

20 MS. O'LAUGHLIN: That's the person I
21 thought it was.

22 BY MS. O'LAUGHLIN:

23 Q. The other person -- okay. Besides -- yes,
24 besides the -- let's just call him the sales manager.

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16

1 Besides the sales manager, who else reported to you
2 about -- to give you information about today's
3 deposition?

4 A. No.

5 Q. No one?

6 A. No one.

7 Q. Okay. Did you ask the sales manager or
8 anyone else for information to help you prepare for
9 your testimony today?

10 A. Yes.

11 Q. What did you ask?

12 A. About the programs of the case.

13 Q. Okay. Did you ask anyone for information
14 about Feitian's business in Delaware or in California?

15 A. I asked for information about the business in
16 Delaware.

17 Q. Did you ask for information about Feitian's
18 business in California?

19 A. Not yet. I haven't got time yet.

20 Q. Were you asked to ask for information about
21 Feitian's business in California?

22 MR. REEVES: I object to that on
23 attorney/client privilege grounds, and I'll
24 instruct the witness not to answer what he

WEI LI

17

1 was asked by me to do.

2 BY MS. O'LAUGHLIN:

3 Q. Mr. Li, do you have any information about
4 Feitian's business in California?

5 THE INTERPRETER: Ma'am, Mr. Li is
6 asking the interpreter to repeat.

7 THE WITNESS: I have some information.

8 BY MS. O'LAUGHLIN:

9 Q. What information do you have about Feitian's
10 business in California?

11 A. I know I have attended exhibit.

12 Q. I didn't -- the court reporter could not hear
13 you. He has attended what exhibit there?

14 Mr. Li, you personally attended an exhibition
15 in California; is that correct?

16 A. No.

17 Q. Okay. Then could you explain your answer? I
18 do not understand it.

19 A. It's not me. It's my company that attended
20 the exhibition in California.

21 Q. Okay. And by exhibition are you referring to
22 the RSA Conference?

23 THE INTERPRETER: Ma'am, can you repeat
24 the conference name?

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18

1 MS. O'LAUGHLIN: RSA, the letters R-S-A.

2 THE WITNESS: Yes.

3 BY MS. O'LAUGHLIN:

4 Q. As far as you know, did Feitian attend any
5 other exhibitions or conferences in California?

6 A. No.

7 Q. What do you know about Feitian's attendance
8 at the RSA Conference in California?

9 A. I know it's a conference for technology
10 exchange.

11 Q. Do you know what years Feitian -- well, do
12 you know whether it's a conference that is held every
13 year?

14 A. I know.

15 Q. You know that it is held every year?

16 A. Well, it seems like it in my memory. It
17 seems like it.

18 Q. That it is every year?

19 A. Yes.

20 Q. Do you know, did you get any information as
21 to what years Feitian attended the conference in
22 California?

23 THE INTERPRETER: Ma'am, I need to
24 confirm with Mr. Li.

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19

1 THE WITNESS: Well, I remember before
2 2006 Feitian attended this conference.

3 BY MS. O'LAUGHLIN:

4 Q. Okay. Let's go back to what you did to
5 prepare for this deposition. Am I correct that the
6 only thing you did was to talk to the sales manager?

7 A. Yes.

8 Q. Am I also correct that you only talked to the
9 sales manager about Feitian's business in Delaware and
10 not Feitian's business in California?

11 A. I'm not clear.

12 Q. My question is, did you in order to prepare
13 for this deposition, get any information about
14 Feitian's business in California?

15 A. Yes.

16 Q. What information did you get about Feitian's
17 business in California?

18 A. That we attended the conference in
19 California.

20 Q. Did you get any other information?

21 A. No.

22 Q. Did you ask for any other information about
23 Feitian's business in California?

24 A. Yes.

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20

1 Q. What did you ask for?

2 A. Information about the business.

3 Q. Could you explain that answer in more detail,
4 please?

5 A. Well, I asked all aspect of the business, but
6 they did not have time to report to me yet.

7 MS. O'LAUGHLIN: Okay. Mr. Reeves --

8 MR. REEVES: Yes.

9 MS. O'LAUGHLIN: -- are you going to
10 produce this witness again so that I can ask
11 questions about Feitian's business contacts
12 with California?

13 MR. REEVES: Well, I'll take it under
14 advisement, but, you know, it was only a day
15 before yesterday that the Court ordered us to
16 come up with California information, and he's
17 tried to obtain that information but has not
18 gotten it yet. We also are gathering it
19 right now, and we'll produce whatever
20 documents we have related to California. But
21 he's already testified that, you know, he's
22 aware of the RSA Conference, which we've
23 already admitted to. So we'll see what else
24 comes out in discovery, I guess.

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1 MS. O'LAUGHLIN: Well, Mr. Reeves, if
2 you had called me and told me that there
3 wasn't sufficient time to obtain the
4 information about the California business
5 before the deposition that was scheduled for
6 tonight, I would have continued the
7 deposition. Since you did not call me and
8 advise me and we are now having the
9 deposition, I fully intend to conduct the
10 deposition of a designee of Feitian
11 concerning its California contacts and the
12 Court has granted us that right. And I,
13 specifically, raised this issue during the
14 conference with the judge to make sure that
15 there was going to be a witness that was
16 produced by Feitian and by RS Computer who
17 would answer my questions both about
18 Feitian's contact with the State of Delaware
19 and Feitian's contacts with the State of
20 California.

21 MR. REEVES: Well, you're assuming that
22 they're more contacts than just the RSA
23 Conferences.

24 MS. O'LAUGHLIN: Well --

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22

1 MR. REEVES: He may have already
2 answered your questions right now.

3 MS. O'LAUGHLIN: Okay.

4 MR. REEVES: So let's see what comes out
5 of it. You're still trying to gather the
6 information to see what contacts exist in
7 California, if any, other than he's already
8 testified to.

9 BY MS. O'LAUGHLIN:

10 Q. Well, Mr. Li, does Feitian keep records of
11 its sales in the United States?

12 A. No.

13 Q. So if I live in California, can I buy a
14 product from Feitian?

15 A. No.

16 Q. Does Feitian sell -- make sales of its
17 products through distributors or partners or other
18 companies that are located in the United States?

19 MR. REEVES: Objection to the extent
20 that it calls for information outside of
21 California or Delaware.

22 BY MS. O'LAUGHLIN:

23 Q. Mr. Li, could you please answer the question?

24 MR. REEVES: Would you translate my

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23

1 objection first, please?

2 THE INTERPRETER: Okay. The interpreter
3 will translate both.

4 BY MS. O'LAUGHLIN:

5 Q. Let me ask Mr. Li -- and you can translate it
6 and then if there's an objection you can translate
7 that -- Mr. Li, does Feitian make sales in the United
8 States through other companies?

9 MR. REEVES: And I'll object to the
10 extent that it seeks information outside of
11 California or Delaware.

12 THE INTERPRETER: Mr. Li say I'm sorry;
13 can you repeat that?

14 MS. O'LAUGHLIN: So, Interpreter, you'll
15 need to ask him those questions again.

16 THE INTERPRETER: Sure.

17 THE WITNESS: I will only answer
18 questions about Delaware and California.

19 BY MS. O'LAUGHLIN:

20 Q. Does Feitian have any company who distributes
21 Feitian's products in Delaware or California?

22 A. No.

23 Q. Are you familiar with the company known as RF
24 Ideas, Inc. doing business as Security Tokens?

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24

1 THE INTERPRETER: Ma'am, can you repeat
2 question?

3 BY MS. O'LAUGHLIN:

4 Q. Are you familiar with the company known as RF
5 Ideas, RF Ideas, Inc. doing business as Security
6 Tokens?

7 THE INTERPRETER: Ma'am, Mr. Li is
8 asking the interpreter to repeat.

9 THE WITNESS: I know this company.

10 BY MS. O'LAUGHLIN:

11 Q. Okay. Do you know what its relationship with
12 Feitian was?

13 A. This company is located neither in California
14 nor Delaware.

15 Q. Did this company act as a distributor of
16 Feitian products?

17 A. It used to be Feitian's agent.

18 Q. Its agent in the United States?

19 A. Yes.

20 Q. And didn't Feitian have an agreement with RF
21 Ideas whereby it could sell Feitian's products anywhere
22 in the United States including in Delaware and
23 California?

24 MR. REEVES: I'll object to the extent

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25

1 it seeks information outside of Delaware and
2 California, but to the extent it seeks
3 information about Delaware and California,
4 you can answer.

5 THE INTERPRETER: Ma'am, can you repeat
6 the question?

7 BY MS. O'LAUGHLIN:

8 Q. Did RF Ideas have an agreement with Feitian
9 whereby RF Ideas could make sales of Feitian products
10 in Delaware and California?

11 A. Well, because this company is not in Delaware
12 nor California so I can't answer this question.

13 Q. Did Feitian have an agreement with RF Ideas
14 pursuant to which RF Ideas could make sales of Feitian
15 products anywhere in the United States?

16 A. It's the issue of RF Ideas Company.

17 Q. I don't understand. I do not understand your
18 answer. Could you explain it to me?

19 A. Well, it's the same answer as I answered
20 before. This company is not in those two states, so I
21 can't answer this question.

22 Q. Have you ever looked at the distribution
23 agreement between Feitian and RF Ideas?

24 A. No.

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1 Q. No?

2 A. No.

3 Q. Did you ever look at any of the agreement --
4 any of the documents that were produced by Feitian in
5 response to our jurisdictional discovery?

6 A. No.

7 Q. Okay. So you don't know whether or not the
8 distribution agreement between Feitian and RF Ideas
9 that was produced has a sales territory in it?

10 MR. REEVES: I'm going to object to
11 questions about the RF Ideas and RF Ideas
12 sales agreement as going outside the scope of
13 California and Delaware.

14 BY MS. O'LAUGHLIN:

15 Q. Okay. Do you know, Mr. Li, whether or not
16 the distribution with RF Ideas, the distribution
17 agreement between Feitian and RF Ideas, allowed RF
18 Ideas to sell Feitian products in the United States?

19 MR. REEVES: Again, same objection.

20 BY MS. O'LAUGHLIN:

21 Q. You can answer, Mr. Li.

22 A. I don't know the details.

23 Q. Okay. Do you know whether or not the State
24 of Delaware is a state in the United States of America?

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1 A. Yes.

2 Q. So if RF Ideas were allowed to sell anywhere
3 in the United States, that would include the State of
4 Delaware; is that right?

5 A. Yes.

6 Q. Okay. And do you know whether or not
7 California is a state within the United States of
8 America?

9 A. Yes, I know.

10 Q. So if RF Ideas could sell anywhere in the
11 United States of America, it would also be entitled to
12 sell Feitian products in California; is that correct?

13 A. Yes.

14 Q. Do you know whether or not RF Ideas or any
15 representatives from RF Ideas ever attended the RSA
16 Conference in California with Feitian?

17 A. I don't know.

18 Q. Did you ever hear of a company called AZ-Tech
19 Software, Inc.?

20 THE INTERPRETER: Ma'am, the company
21 name is AZ?

22 BY MS. O'LAUGHLIN:

23 Q. AZ, the letters A-Z and then hyphen Tech
24 Software, Inc.

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1 A. Yes, I heard of it.

2 Q. Is AZ-Tech a part anywhere of Feitian in the
3 U.S.?

4 A. This company is not located in those two
5 states.

6 Q. Do you know if this is a -- if AZ-Tech is a
7 U.S. company?

8 A. U.S. company. I know.

9 Q. What do you know?

10 A. It is a U.S. company.

11 Q. Okay. Do you know if anyone from AZ-Tech
12 ever participated in the RSA Conference with Feitian?

13 A. I don't know.

14 Q. Do you know whether or not -- are you
15 familiar with Feitian's English language web site?

16 A. I know.

17 Q. Okay. Do you know whether or not you can
18 link onto AZ-Tech's web site from Feitian's web site?

19 MR. REEVES: Again, I'll object to the
20 extent that's outside of the scope of
21 California or Delaware.

22 THE WITNESS: I will not answer it.

23 BY MS. O'LAUGHLIN:

24 Q. Does Feitian keep e-mails that it receives

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1 with inquiries about its products from the United
2 States?

3 A. Well, I've heard from the report that Feitian
4 got such e-mails.

5 Q. Okay. Did you ask -- and by the report
6 you're talking about the report the sales manager made
7 to you?

8 A. Yes.

9 Q. Okay. And did you ask the sales manager to
10 look to see if there were any e-mails from anyone
11 located in Delaware?

12 A. No.

13 Q. Did you ask the sales manager or anyone else
14 to look to see if there were any e-mails from anyone
15 located in California?

16 A. No.

17 Q. Okay. Does Feitian -- if Feitian gets an
18 inquiry from someone located in Delaware, how would
19 Feitian respond to that person?

20 A. No response.

21 Q. Feitian would not respond to anyone who made
22 an inquiry about a Feitian product from the State of
23 Delaware?

24 A. Yes.

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1 Q. Why not?

2 A. Because we do not have a specific person,
3 specific salesperson, in charge of sales in U.S.
4 market.

5 Q. What about before when you had a specific
6 person in charge of sales in the U.S. market, how would
7 you respond to an inquiry from the State of Delaware?

8 A. I do not know the information before.

9 Q. Did you ask anyone to give you the
10 information before?

11 A. No.

12 Q. Okay. When was the last time that Feitian
13 had someone in charge of sales to the U.S.?

14 A. I don't know. I need to ask around.

15 Q. Does Feitian do any business or does Feitian
16 now or has it since October of 1999 done any business
17 in Delaware?

18 A. No.

19 Q. How do you know that?

20 A. I asked specifically about it.

21 Q. You asked the sales manager?

22 A. Nobody tells me that we have business in this
23 state.

24 Q. Who did you ask?

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1 A. Well, previously I asked Liu Yuhong.

2 Q. Who else?

3 A. Well, now I ask Liu Hui.

4 Q. Okay. When you asked Liu Yuhong, when was
5 that?

6 THE INTERPRETER: Ma'am, I need to
7 confirm the answer with Mr. Li. I didn't
8 hear him very clearly.

9 MS. O'LAUGHLIN: Okay.

10 THE WITNESS: With Liu Yuhong was when
11 Liu Yuhong was in that position. I exchanged
12 information with Liu Yuhong constantly and it
13 was about last year.

14 BY MS. O'LAUGHLIN:

15 Q. Okay. Did you ask Liu Yuhong specifically
16 when you checked constantly whether there was business
17 in Delaware or --

18 A. Yes.

19 Q. And since Liu Yuhong has left Feitian about a
20 year ago, the person that you've -- have you asked
21 anyone else whether or not Feitian does any business in
22 Delaware?

23 A. Yes.

24 Q. Who?